

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

<p>MITCHELL E. TIMMONS, Plaintiff, v. NANCY A. BERRYHILL, Acting Commissioner of the Social Security Administration,* Defendant.</p>	<p>Case No. CIV-16-172-Raw-KEW</p>
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ORDER AFFIRMING DECISION OF THE COMMISSIONER

On May 10, 2017, the United States Magistrate Judge entered a Report and Recommendation in the above-referenced case, recommending that this Court affirm the Commissioner's decision upholding on appeal the findings of the Administrative Law Judge ("ALJ"), denying benefits to Plaintiff. No objection has been filed.

Upon full consideration of the entire record and the issues herein, this court finds that the Magistrate Judge's recommendation to affirm the ALJ is well-supported. The ALJ's decision is supported by substantial evidence, and the correct legal standards were applied. Accordingly, the Report and Recommendation of the United States Magistrate Judge is hereby AFFIRMED and ADOPTED as this court's Findings and Order. The decision of the Commissioner upholding on appeal the findings of the ALJ is affirmed.

* Nancy A. Berryhill is now the Acting Commissioner of the Social Security Administration. Pursuant to Federal Rule of Civil Procedure 25(d) and the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), this action survives and Nancy A. Berryhill is automatically substituted as Defendant.

IT IS SO ORDERED this 13th day of June, 2017.



**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**